

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RONALD BEAVER,

Plaintiff,

v.

AMERICAN EXPRESS NATIONAL BANK,

Defendant.

CASE NO. C24-1302-JCC

ORDER

This matter comes before the Court on Defendant's motion for a protective order (Dkt. No. 28.) In it, Defendant asks the Court to prohibit Plaintiff from making additional filings, pending deposition of Defendant's motion to dismiss (Dkt. No. 9). (Dkt. No. 28 at 2.)

The Court has broad discretion to stay a proceeding incidental to the inherent power to control its own docket. *Clinton v. Jones*, 520 U.S. 681, 706 (1997) (citing *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)). This includes staying further proceedings pending disposition of a motion to dismiss. *See Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 583 (D. Nev. 2013) (staying discovery when Court is convinced the Rule 12(b)(6) motion will prevail). In determining whether to grant such a stay, the Court considers (1) "the possible damage which may result from the granting of a stay," (2) "the hardship or inequity which a party may suffer in being required to go forward," and (3) "the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, and questions of law which could be expected to

1 result from a stay.” *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005). Each of these  
2 considerations support staying further motion practice from Plaintiff in this matter, pending  
3 disposition of Defendant’s motion to dismiss (Dkt. No. 9).

4 Accordingly, Defendant’s motion for a protective order (Dkt. No. 28) is GRANTED. The  
5 Court will not entertain (and Defendant need not respond to) further filings from Plaintiff until  
6 the Court rules on Defendant’s motion to dismiss (Dkt. No. 9). If the Court denies Defendant’s  
7 motion to dismiss, a Rule 26(f) preliminary scheduling order will follow.

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9 It is so ORDERED this 4th day of November 2024.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE